IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

Bail Appl..No. 7713 of 2006()

OR.8/06 OF PALAKKAYAM FOREST STATION

: APPLICANT/ACCUSED NOS. 2 AND 3.

---

1. JOSEPH ALIAS KUNJACHAN,
S/O.THOMAS, THAIPARAMBIL HOUSE,
P.O.POONCHOLA, MANNARCADU.

2. THOMAS ALIAS JOJI,
S/O.VARGHESE, THAIPARAMBIL HOUSE,
P.O.POONCHOLA, MANNARCADU.

BY ADV. SRI.P.VIJAYA BHANU

RESPONDENT: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING DEPUTY RANGER,
PALAKKAYAM FOREST STATION.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - -

BAIL APPLICATION NO.7713 OF 2006

- - - - - - - - - ---------- - - - - -

DATED THIS THE 9th DAY OF JANUARY, 2007

O R D E R

Petitioners who are accused 2 and 3 in O.R.No.8/06 of Palakkayam Forest Station for offences punishable under sections 2(1), 2(16), 2(20), 2(35), 2(36), 9, 39(1)(a), 39(3)(c) and 51 of the Wild Life Protection Act, 1972, section 27(1)(e) of the Forest Act and provisions of the Arms Act for allegedly trespassing into a reserve forest and killing a mouse deer on 18.12.2006, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. I am not inclined to grant anticipatory bail to the petitioners. However, I am inclined to give the petitioners an opportunity to surrender before the Investigating Officer and have their application for regular bail disposed of by the competent Magistrate. Accordingly, the petitioners are directed to surrender before the Investigating Officer (Forest Range Officer, Mannarkkad) on any day between 10.1.2007 and 15.1.2007 for the purpose of custodial interrogation. The petitioners shall thereafter be produced before the Magistrate

having jurisdiction on the same day. In case the petitioners file an application for regular bail, the same shall be considered and disposed of by the Magistrate, preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn